

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF AGRICULTURE

1. **Title and its heading:** 3, Agriculture  
**Chapter and its heading:** 4, Department of Agriculture - Plant Services Division  
**Articles and their headings:** 2, Quarantine  
**Section numbers:** R3-4-244
2. **Subject matter of the proposed rule:**  
This rulemaking adds *Euryops sunbarnosus subsp. vulgaris* - Sweet Resinbush, to the restricted noxious weed list.
3. **A citation to all published notices relating to the proceeding:**  
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Shirley Conard, Rules Specialist  
Address: Arizona Department of Agriculture  
1688 West Adams, Room 124  
Phoenix, Arizona 85007  
Telephone: (602) 542-0962  
Fax: (602) 542-5420
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m. The Board will accept oral comments Monday through Friday, 8 a.m. to 4:30 p.m. Written and oral comments will be accepted at the address listed in question #4.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF DISPENSING OPTICIANS

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 20, Board of Dispensing Opticians  
**Articles and their headings:** 1, In General  
**Section numbers:** R4-20-112
2. **The subject matter of the proposed rule:**  
Fee increase.
3. **A citation to all published notices relating to the proceeding:**  
Not applicable.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Careen Heinze, Executive Director  
Address: Board of Dispensing Opticians  
1400 West Washington, Room 230  
Phoenix, Arizona 85007  
Telephone: (602) 542-3095  
Fax: (602) 542-3093

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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will continue to accept written comments at the location listed above between 8 a.m. and 5 p.m., Monday through Friday, until the close of record.
6. **A timetable for agency decisions or other action in the proceeding:**  
To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 14, Department of Health Services - Laboratories  
**Articles and their headings:** 6, Licensing of Environmental Laboratories  
**Section numbers:** R9-14-606 and R9-14-608 through R9-14-612
2. **The subject matter of the proposed rule:**  
R9-14-606 prescribes laboratory licensure fees. R9-14-608 through R9-14-612 provides for approved methods and references, and sample matrix for compliance testing by the laboratories. The purpose of this rulemaking is to update fees and methodologies.  
**The agency docket number:**  
RE-025-98
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Steven Baker, Program Manager  
Address: Department of Health Services  
3443 North Central #810  
Phoenix, Arizona 85012  
Telephone: (602) 255-3454  
Fax: (602) 255-3462  
E-mail: sbaker@hs.state.az.us  
Or  
Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 West Adams #410  
Phoenix, Arizona 85007  
Telephone: (602) 542-1264  
Fax: (602) 542-1289  
E-mail: kphillips@hs.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY**

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Article and its heading:** 10, Motor Vehicles; Inspection and Maintenance  
**Section numbers:** Not yet determined

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**2. The subject matter of the proposed rules:**

The Arizona Department of Environmental Quality will be proposing a rule to implement vehicle emission testing changes from 1998 legislation (SB 1427). Included are an exemption from testing for the 5 latest model years, and a catalytic converter efficiency test for some vehicles in the Phoenix area (area A). The rule will also implement action items proposed in a recent 5-year-review report and update and clarify ADEQ's ability to take enforcement action against fleets for various violations.

**3. A citation to all published notices relating to the proceeding:**

None.

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mark Lewandowski or Martha Seaman

Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012

Telephone: (602) 207-2230 or 207-2222

Fax: (602) 207-2251

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF WEIGHTS AND MEASURES**

**1. Title and its heading:**

20, Commerce, Banking, and Insurance

**Chapter and its heading:**

2, Department of Weights and Measures

**Article and its heading:**

7, Motor Fuels and Petroleum Products

**Section numbers:**

Not yet determined

**2. The subject matter of the proposed rule:**

The rule will implement 1998 legislation (Ch. 171) requiring California Phase 2 gasoline or CARB, to be the only gasoline formulation sold in area A (approximately the Phoenix metropolitan area) from November through March, beginning November 1, 2000. The rule will also require gasoline suppliers to use ethanol as the oxygen component at a rate specified in statute, and address issues related to clarity, conciseness and understandability.

**3. A citation to all published notices relating to the proceeding:**

None.

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Michelle Ringsmuth

Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012

Telephone: (602) 207-2372

Fax: (602) 207-2366

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding:**

To be announced in the Notice of Proposed Rulemaking.

## NOTICE OF PUBLIC INFORMATION

### DEPARTMENT OF REAL ESTATE

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 28, Real Estate Department  
**Section numbers:** R4-28-101, R4-28-102, R4-28-103, R4-28-104, R4-28-201, R4-28-301, R4-28-302, R4-28-303, R4-28-304, R4-28-305, R4-28-401, R4-28-401.01, R4-28-402, R4-28-403, R4-28-501, R4-28-502, R4-28-503, R4-28-504, R4-28-701, R4-28-801, R4-28-802, R4-28-803, R4-28-804, R4-28-805, R4-28-1001, R4-28-1002, R4-28-1101, R4-28-1102, R4-28-A1201, R4-28-A1202, R4-28-A1203, R4-28-A1204, R4-28-A1205, R4-28-A1206, R4-28-A1207, R4-28-A1208, R4-28-A1209, R4-28-A1210, R4-28-A1211, R4-28-A1212, R4-28-A1213, R4-28-A1214, R4-28-A1215, R4-28-A1216, R4-28-A1217, R4-18-A1218, R4-28-A1219, R4-28-A1220, R4-28-A1221, R4-28-A1222, R4-28-A1223, R4-28-1201, R4-28-1203, R4-28-1204, R4-28-B1201, R4-28-B1202, R4-28-B1203, R4-28-B1204, R4-28-B1205, R4-28-B1206, R4-28-B1207, R4-28-B1208, R4-28-B1209, R4-28-B1210, R4-28-B1211, R4-28-1301, R4-28-1302, R4-28-1303, R4-28-1304, R4-28-1305, R4-28-1306, R4-28-1307, R4-28-1308, R4-28-1309, R4-28-1310, R4-28-1311, R4-28-1312, R4-28-1313,
2. **The public information relating to the listed Sections:**  
This notice reopens a rulemaking record and provides additional opportunity for public comment.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 4 A.A.R. 867, March 28, 1997.  
Notices of Proposed Rulemaking: 4 A.A.R. 1678, July 10, 1998, and 4 A.A.R. 2131, July 31, 1998.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Cindy Wilkinson  
Address: Real Estate Department  
2910 North 44th Street, Suite 100  
Phoenix, Arizona 85018  
Telephone: (602) 468-1414, Ext. 145  
Fax: (602) 468-0562
5. **The date, time and location of public hearings:**  
None scheduled.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
This rulemaking record will close at 12:00 p.m., December 11, 1998. The Department will meet the Governor's Regulatory Review Council's December 21, 1998, submittal deadline and the rulemaking will be heard by the Governor's Regulatory Review Council at their February 2, 1999, meeting.